# EXHIBIT A

Executive Director, Georgetown Center for Asian Law; Adjunct Professor of Law

## Thomas E. Kellogg

B.A., Hamilton College; J.D., Harvard

Thomas E. Kellogg is Executive Director of the Center for Asian Law, where he oversees various programs related to law and governance in Asia. He is a leading scholar of legal reform in China, Chinese constitutionalism, and civil society movements in China.

Prior to joining Georgetown Law, Professor Kellogg was Director of the East Asia Program at the Open Society Foundations. At OSF, he oversaw the expansion of the Foundation's work in China, and also launched its work on Taiwan and North and South Korea. During his time at OSF, Professor Kellogg focused most closely on civil society development, legal reform, and human rights. He also oversaw work on a range of other issues, including public health, environmental protection, and media development.

Professor Kellogg has written widely on law and politics in China, US-China relations, and Asian geopolitics. He has lectured on Chinese law at a number of universities in the United States, China, and Europe. He has also taught courses on Chinese law at Columbia, Fordham, and Yale Law Schools.

Before joining the Open Society Foundations, Professor Kellogg was a Senior Fellow at the China Law Center at Yale Law School. Prior to that, he worked as a researcher in the Asia Division of Human Rights Watch. He holds degrees from Harvard Law School, where he was Editor-in-Chief of the Harvard Human Rights Journal, and Hamilton College.

### Thomas E. Kellogg

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#### **EXPERIENCE**

#### Georgetown University Law Center – Washington, DC

2017-present

Executive Director, Georgetown Center for Asian Law; adjunct Professor of Law. Manage all aspects of a multi-pronged program in Asian Law. Design and implement programs that address key issues of legal reform and legal development in Asia. Oversee development of Asian law curriculum that will meet the needs of both American and international students. Create a series of lectures, seminars, and other events focused on Asian law and politics, for the benefit of the Georgetown community as a whole. Advise faculty and staff looking to engage on research or project work related to Asian Law. Maintain and expand Georgetown contacts with key Asian law schools. Raise funds for all Center activities from a range of sources, including private foundations, public sources, and individual donors. Advise students on their academic and professional careers, and create opportunities for them to engage directly with leading practicioners from Asia. Engage in research, writing, and teaching on key elements of Asian law.

#### Open Society Foundations – New York, NY

2008-2017

East Asia Program Director. Managed multi-million dollar grant-making portfolio related to legal development, civil society development, and the rule of law in China. Supervised grantees working on a wide range of thematic issues, including rule of law, human rights, China's role in the developing world, environmental protection, and public health. Developed new partnerships consistent with OSF's goals and priorities. Worked with OSF thematic divisions and local partners to create new projects. Created cross-regional programs related to Chinese foreign policy and China's role as a rising power with growing influence in Asia, Africa, and Russia. Advised a range of Western organizations on civil society development and rule of law programming in China. Engaged in targeted advocacy on Chinese legal development and human rights. Created and developed OSF's first-ever grantmaking program on human rights in North Korea. Created and implemented OSF's first-ever grantmaking programs on Taiwan and South Korea.

#### Columbia University Law School - New York, NY.

2013-2017

Adjunct Professor of Law. Designed and taught a class on Chinese engagement with international law, with a strong focus on key contemporary issues, including Chinese government approaches to international peace and security; international trade; the law of the sea; and international human rights. Advised students on research and writing on Chinese law. Maintained contact with scholars working on China's approach to international law.

#### Fordham University Law School – New York, NY

2008-2012

Adjunct Professor of Law. Designed and taught classes on Chinese law, focusing on Chinese legal history, Western influences, and current state of Chinese civil, criminal, administrative, and constitutional law. Created and taught class on China's engagement with the international legal order. Advised students on research and writing on Chinese law. Met with and advised Chinese visiting scholars on their research on American and other comparative law subjects.

#### Yale Law School, The China Law Center - New Haven, CT

2006-2008

Senior Fellow and Lecturer in Law. Engaged in research and writing on various issues related to legal reform in China. Created, developed, and implemented all aspects of rule of law cooperation and training programs in coordination with Chinese academic experts, government officials, and lawyers. Co-taught seminar on legal reform in China. Advised students on research and writing on Chinese law. Advised Chinese visiting scholars on their research on American and other comparative law subjects. Lectured on legal development in China at universities and law schools in the United States, China, and Hong Kong.

#### Internews Network - Beijing, China

2005-2006

China Country Director. Planned and executed all aspects of media and the rule of law program. Identified key Chinese partners, and managed relationships with Chinese government officials, academics, journalists, and NGO activists. Delivered lectures to Chinese journalists, academics, and government officials on media law and free expression in the United States. Researched Chinese media regulations and monitored current media trends. Designed and oversaw Internews training projects on legal reporting, legal protections for the media, and media ethics. Wrote grant proposals, quarterly reports, and other fundraising and advocacy documents. Managed relationship with key funders. Identified potential subject areas and partners for expansion of Internews work in China.

Human Rights Watch, Middle East and North Africa Division - Cairo, Egypt 2004-2005 Consultant. Created research plan for counter-terrorism and human rights project in Egypt. Interviewed victims of human rights abuses, family members, lawyers, and human rights activists. Interviewed US government officials on their role in the planning and execution of renditions by the US government to Egypt. Wrote report on cases of rendition of alleged militants to and from Egypt, both before and after September 11, 2001, terror attacks.

#### Human Rights Watch, Asia Division - New York, NY

2003-2004

Orville Schell Fellow. Devised research, monitoring, and advocacy strategy for human rights issues in Asia, with special emphasis on counter-terrorism and human rights. Drafted full-length reports, briefing papers, press releases, and advocacy letters. Maintained contact with wide network of Asian activists, academics, politicians, and journalists. Carried out advocacy with United States government, including State Department and National Security Council. Lobbied Malaysian government to end detention without trial and provide meaningful safeguards against physical and psychological abuse. Provided analysis of human rights in Asia for journalists and policymakers. Wrote articles on human rights and rule of law issues across Asia, including mainland China and Hong Kong.

#### UNAIDS (United Nations AIDS Program) - Beijing, China.

Summer 2002

Summer Researcher. Researched and wrote on AIDS-related public health and other law in China. Worked with various UN agencies and Chinese experts to develop a legal reform strategy. Interviewed HIV-positive persons to get their perspective on the current legal framework. Developed methods for greater public participation in the law reform process. Made recommendations for increasing the individual rights and anti-discrimination protections in Chinese public health and AIDS prevention laws.

Hong Kong Human Rights Monitor – Hong Kong SAR, China

Summer 2001

Summer Researcher. Researched and wrote report on human rights and national security law in Hong Kong. Conducted advocacy work with government officials and consular officials. Conducted interviews with domestic and international media. Wrote and edited press statements for distribution to international and domestic media. Maintained extensive contact with Hong Kong human rights community, local politicians, and international non-governmental organizations.

#### **EDUCATION**

Harvard Law School J.D., June 2003

- Editor-in-Chief, Harvard Human Rights Journal
- Member, Harvard Asia Law Society
- Recipient, Chayes International Public Service Fellowship, Human Rights Program Summer Fellowship

#### Johns Hopkins University, Nanjing University, Center for Chinese and American Studies

Certificate, June 2000

- All coursework conducted in Mandarin Chinese
- Northern Telecom Fellowship

Hamilton College B.A., May 1996

- Graduated magna cum laude in English and Asian Studies
- Phi Beta Kappa, Phi Sigma Iota (national foreign languages honor society)
- Frederick R. Wagner Prize Scholarship, Frank H. Ristine Prize Scholarship (awarded for excellence in the study of English literature)

#### SELECTED PUBLICATIONS

#### **Academic Articles**

News of a Kidnapping: the Gui Minhai Case and China's Approach to International Law, 41 Fordham Int'l L.J. 1215 (2018).

Arguing Chinese Constitutionalism: the 2013 Constitutionalism Debate and the "Urgency" of Political Reform, 11 U. Pa. Asian L. Rev. 337 (2015-2016).

Constitutionalism with Chinese Characteristics? Constitutional development and civil litigation in China, 7(2) International J. Constitutional L., 215-244 (2009).

Courageous Explorers? Education Litigation and Judicial Innovation in China, 20 Harv. Hum. Rts. J. 141 (2007).

Legislating Rights: Basic Law Article 23, National Security, and Human Rights in Hong Kong, 17 Colum. J. Asian. L. 307 (2004).

Book note, Nipped in the Bud: The Suppression of the China Democracy Party, 14 Harv. Hum. Rts. J. 289 (2001).

#### Short Articles/Op-eds/Book Reviews

"Is Hong Kong about to Get Its Own Foreign NGO Law in the Name of National Security?," *ChinaFile*, June 13, 2020 (with Alison Sile Chen).

Review of Sebastian Heilmann, *Red Swan: How Unorthodox Policy Making Facilitated China's Rise*, J. of Chin. Polit. Sci. (December 2019).

"Violence by Hong Kong Protesters Won't Advance Their Cause," ChinaFile, November 14, 2019.

- "Beijing's Paranoia Sees the CIA Under Every Rock," Foreign Policy, August 13, 2019.
- "China's Dissidents Can't Leave: Exit ban numbers are hitting new highs as politics tightens," *Foreign Policy*, July 23, 2019.
- "What should Beijing do about Hong Kong's unprecedented protests? The case for restraint," *Hong Kong Free Press*, July 6, 2019.
- "No longer an apolitical technocrat, Hong Kong's Carrie Lam must learn to engage critics," *Hong Kong Free Press*, June 25, 2019.
- "Hong Kong's Proposed Extradition Law and International Human Rights: Legalized Kidnapping?," *Lawfare*, June 6, 2019.
- "No Exit: China's Growing Use of Exit Bans Violates International Law," Lawfare, January 16, 2019.
- "Banning Chinese Students is Not in the U.S. National Interest," (co-authored piece with Chang Chiu), *Chinafile*, October 5, 2018.
- "Will the Trump Administration Get Serious on Human Rights in China?," *East Asia Forum*, May 29, 2018.
- "China and Russia's Game of Distortion," Washington Post World Post, February 15, 2018.
- "The Strange and Sad Case of Gui Minhai," *The Diplomat*, January 31, 2018.
- "China's Grim Christmas Ritual: Imprisoning Dissidents," *The Diplomat*, January 24, 2018.
- Review of Jing Chen, *Useful Complaints: How Petitions Assist Decentralized Authoritarianism in China*, 23 J. of Chin. Polit. Sci., 137-138 (January 2018).
- "China is Getting Better at Undermining Global Human Rights," Foreign Policy, October 18, 2017.
- "Xi Jinping is About to Face a Constitutional Crisis," Foreign Policy, September 7, 2017.
- 'The China-India Border Stand-Off: What Does Beijing Want?," Foreign Policy, September 1, 2017.
- "Xi's Davos Speech: Is China the New Champion for the Liberal International Order?," *The Diplomat*, January 24, 2017.
- "Liberal Internationalism in the Age of Trump," *The Diplomat*, November 17, 2016.
- "How to Fix China's Crooked Congress," Foreign Policy, September 29, 2016.
- Review of Yuhua Wang, *Tying the Autocrat's Hands: The Rise of the Rule of Law in China*, 21 J. of Chin. Polit. Sci., 395-396 (September 2016).
- "The Communist Party of China's Recipe for Success," review of Bruce Dickson, *The Dictator's Dilemma, The Diplomat*, August 12, 2016.
- "The South China Sea Ruling: China's International Law Dilemma," *The Diplomat*, July 14, 2016.

- "China and the End of Reform," review of David Shambaugh, *China's Future*, *ChinaFile*, May 26, 2016.
- "A New Book Praises China's Governance Model, But Overlooks Its Politics," review of Daniel Bell, *The China Model: Political Meritocracy and the Limits of Democracy, ChinaFile*, September 21, 2015.
- "Running the Race of the Century," review of Michael Pillsbury, *The Hundred-Year Marathon: China's Secret Strategy to Replace America as the Global Superpower*, *Global Asia*, Vol. 10, No. 1, Spring 2015.
- "Bo Xilai the Last of a Nefarious Trio to Fall," review of Ho and Huang, *A Death in the Lucky Holiday Hotel, Los Angeles Review of Books*, August 26, 2013.
- "Western Funding for Rule of Law Initiatives in China: the importance of a civil society based approach," *China Perspectives*, No. 2012/3, pp. 43-49, September 2012.
- "The Strange Case of Zhou Yongjun," Hong Kong Journal, January 2011.
- "China's Communist Party: Two Glimpses Inside," review of McGregor, *The Party: The Secret World of China's Communist Rulers*, and Shambaugh, *China's Communist Party: Atrophy and Adaptation*, *The China Beat*, October 2010.
- "Stirring Up Trouble: the Johannes Chan Incident, Ideological Exclusion and Immigration Law in Hong Kong and Macau," *Hong Kong Journal*, July 2009.
- "The Death of Constitutional Litigation in China?," Jamestown Foundation Chinabrief, April 2009.
- "A Parable of Talent Gone to Waste," review of Philip P. Pan, Out of Mao's Shadow, The Struggle for the Soul of a New China, China Rights Forum, Winter 2008.
- "The *Hong Kong Lawyer* Controversy and Self-Censorship in Hong Kong," *Hong Kong Journal*, October 2008.
- "Excessive Deference' or Strategic Retreat? Basic Law Article 158 and Constitutional Development in Hong Kong," *Hong Kong Journal*, January 2008.
- "NPCSC: The Vanguard of China's Constitution?," Jamestown Foundation *Chinabrief*, January 2008 (with Keith Hand).
- "The Anti-Seditious Speech Debate and Media Law Reform," Jamestown Foundation *Chinabrief*, May 2007.
- "A Flawed Effort? Legislating on Surveillance in Hong Kong," Hong Kong Journal, April 2007.
- "Tilting at Windmills," review of Ian Johnson, Wild Grass: Three Stories of Change in Modern China, China Rights Forum, Fall 2004.
- "Voting Rights Now, Basic Rights Next?," South China Morning Post, May 15, 2004.
- "Candid Comrade," review of Li Changping, I Spoke the Truth to the Prime Minister, China Rights Forum, Winter 2003.

"A Case for the Defense," China Rights Forum, Summer 2003.

"HIV/AIDS, Human Rights, and Good Governance: Bloodselling in Henan Province," *China Rights Forum*, Fall 2002.

#### Reports/Briefing Papers

The Promise of Democratization in Hong Kong: Discontent and Rule of Law Challenges, joint Georgetown Center for Asian Law and National Democratic Institute Assessment Report, April 23, 2020.

Surveillance, Basic Law Article 30, and the Right to Privacy in Hong Kong, Hong Kong Human Rights Monitor briefing paper, October 2005.

Black Hole: the Fate of Islamists Rendered to Egypt, Human Rights Watch report, May 2005.

A Question of Patriotism: Human Rights and Democratization in Hong Kong, Human Rights Watch briefing paper, September 2004.

*In the Name of Security: Counterterrorism and Human Rights Abuses under Malaysia's Internal Security Act*, Human Rights Watch report, May 2004.

A Ticking Time Bomb? Article 23, Security Law, and Human Rights in Hong Kong, Hong Kong Human Rights Monitor report, August 2001.

Hong Kong Chapter, Bearing the Burnt of the Asian Economic Crisis: the Impact on Labor Rights and Migrant Workers in Asia, Human Rights Watch report, March 1998.

#### Other advocacy documents

"Discrimination Against Dalits in Nepal," Human Rights Watch Submission to the Review Committee of the United Nations Convention on the Elimination of All Forms of Racial Discrimination (CERD), February 2004.

"Human Rights Overview: Malaysia," Human Rights Watch Country Briefing, January 2004.

#### **LANGUAGES**

Fluent Mandarin Chinese

#### **EXHIBIT B**

#### THOMAS E. KELLOGG, LIST OF PUBLICATIONS, 2012-2022

Kellogg, Thomas E. & Eric Yan-ho Lai, Submission to the UN Human Rights Committee on the Review of China's (Hong Kong SAR) Fourth Periodic Report under the ICCPR, 135 Session (27 Jun – 29 Jul 2022), May 2022.

Kellogg, Thomas E., Review of Timothy Cheek et al., *Voices from the Chinese Century: Public Intellectual Debate from Contemporary China*, J. of Chin. Polit. Sci. (April 2022).

Kellogg, Thomas E. <u>"How a ruling by Hong Kong's top court opens the door to a more intrusive security law,"</u> Hong Kong Free Press, December 17, 2021.

Kellogg, Thomas E. & Eric Yan-ho Lai, "NSL a major blow to free speech in Hong Kong," Lawfare, November 19, 2021.

Kellogg, Thomas E. & Eric Yan-ho Lai, "喬治城大學法學院亞洲法中心發表「唐英傑案」報告: 首宗國安法案件裁決理由並無保障人權," *CitizenNews*, October 20, 2021.

Kellogg, Thomas E. & Eric Yan-ho Lai, "美大學「唐英傑案」報告: 國安法首案裁決理由 並無保障人權," *Stand News,* October 20, 2021.

Kellogg, Thomas E. & Eric Yan-ho Lai, *The Tong Ying-kit NSL Verdict: An International and Comparative Law Analysis: A GCAL Briefing Paper*, October 20, 2021.

Kellogg, Thomas E. <u>"China would benefit from legal reform – but its future looks bleak,"</u> *The Globe and Mail,* August 13, 2021.

Kellogg, Thomas E. & Kaylee Morrison <u>"Hong Kong has gotten seriously risky for international business,"</u> Foreign Policy, July 26, 2021.

Kellogg, Thomas E., Lydia Wong, & Eric Yan-ho Lai, "Judgement in Tong Ying Kit's case sets dangerous precedent, ignores human rights law," Hong Kong Free Press, July 31, 2021.

Kellogg, Thomas E. & Eric Yan-ho Lai, *Hong Kong's National Security Law and the Right to a Fair Trial: A GCAL Briefing Paper*, June 28, 2021.

Kellogg, Thomas E. & Eric Yan-ho Lai <u>"Death by a Thousand Cuts: Chipping Away at Due Process Rights in HK NSL Cases,"</u> *Lawfare,* May 28, 2021.

Kellogg, Thomas E. & Lydia Wong, "New Data Show Hong Kong's National Security Arrests Follow a Pattern," ChinaFile, May 3, 2021.

Kellogg, Thomas E. & Lydia Wong, <u>"The Jimmy Lai case: The National Security Law and the future of dissent in Hong Kong,"</u> *Melbourne Asia Review*, April 13, 2021.

Kellogg, Thomas E. & Lydia Wong, *Hong Kong's National Security Law: A Human Rights and Rule of Law Analysis*, February 2021.

Kellogg, Thomas E. & Lydia Wong, <u>"Free speech in Hong Kong is under threat as activist Tam Tak-chi awaits trial over slogans,"</u> *Hong Kong Free Press,* December 12, 2020.

Kellogg, Thomas E., <u>"Beijing unbound: Hong Kong's autonomy crumbles as China rewrites the law,"</u> Hong Kong Free Press, November 17, 2020.

Kellogg, Thomas E., <u>"The Tong Ying-kit bail decision: A hopeful signal for Hong Kong's human rights and rule of law?"</u> Hong Kong Free Press, September 19, 2020.

Kellogg, Thomas E., Sheena Greitens, Rebecca E. Karl, Aynne Kokas, & Neysun A. Mahboubi "The Future of China Studies in the U.S." *ChinaFile*, August 27, 2020.

Kellogg, Thomas E. & Alison Sile Chen, <u>"Is Hong Kong about to Get Its Own Foreign NGO Law in the Name of 'National Security'?" ChinaFile</u>, June 13, 2020.

Kellogg, Thomas E. & Michael C. Davis, <u>The Promise of Democratization in Hong Kong:</u> <u>Discontent and Rule of Law Challenges</u>, joint Georgetown Center for Asian Law and National Democratic Institute Assessment Report, April 23, 2020.

Kellogg, Thomas E., <u>Review of Sebastian Heilmann</u>, <u>Red Swan: How Unorthodox Policy Making Facilitated China's Rise</u>, J. of Chin. Polit. Sci. (December 2019).

Kellogg, Thomas E., <u>"Violence by Hong Kong Protesters Won't Advance Their Cause," ChinaFile</u>, November 14, 2019.

Kellogg, Thomas E. <u>"Beijing's Paranoia Sees the CIA Under Every Rock,"</u> Foreign Policy, August 13, 2019.

Kellogg, Thomas E. & Zhao Sile. <u>"China's Dissidents Can't Leave: Exit ban numbers are hitting newhighs as politics tightens,"</u> Foreign Policy, July 23, 2019.

Kellogg, Thomas E. <u>"What should Beijing do about Hong Kong's unprecedented protests? The case for restraint,"</u> Hong Kong Free Press, July 6, 2019.

Kellogg, Thomas E. <u>"No longer an apolitical technocrat, Hong Kong's Carrie Lam must learn to engage critics,"</u> *Hong Kong Free Press*, June 25, 2019.

Kellogg, Thomas E. <u>"Hong Kong's Proposed Extradition Law and International Human Rights: Legalized Kidnapping?,"</u> *Lawfare*, June 6. 2019.

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Kellogg, Thomas E. & Chang Chiu. <u>"Banning Chinese Students is Not in the U.S. National Interest,"</u> ChinaFile, October 5, 2018.

Kellogg, Thomas E. Review of Mary E. Gallagher, Authoritarian Legality in China: Law, Workers, and the State, 24 J. of Chin. Polit. Sci, Issue no. 1, pp. 167-168 (September 2018).

Kellogg, Thomas E. *News of a Kidnapping: The Gui Minhai Case and China's Approach* to *International Law*, 41 Fordham Int'l L.J. 1215 (2018).

Kellogg, Thomas E. <u>"Will the Trump administration get serious on human rights in China?,"</u> East Asia Forum, May 29, 2018.

Kellogg, Thomas E. <u>"China and Russia's Game of Distortion,"</u> Washington Post World Post, February 15, 2018.

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Kellogg, Thomas E. <u>"China Is Getting Better at Undermining Global Human Rights,"</u> Foreign Policy, October 18, 2017.

Kellogg, Thomas E. <u>"Xi Jinping Is About to Face a Constitutional Crisis,"</u> Foreign Policy, September 7, 2017.

Kellogg, Thomas E. <u>"The China-India Border Standoff: What Does Beijing Want?,"</u> Foreign Policy, September 1, 2017.

Kellogg, Thomas E. <u>"Xi's Davos Speech: Is China the New Champion for the Liberal International Order?</u>," *The Diplomat*, January 24, 2017.

Kellogg, Thomas E. <u>"Liberal Internationalism in the Age of Trump,"</u> *The Diplomat*, November 17, 2016.

Kellogg, Thomas E. <u>"How to Fix China's Crooked Congress,"</u> Foreign Policy, September 29, 2016.

Kellogg, Thomas E. Review of Yuhua Wang, Tying the Autocrat's Hands: The Rise of the Rule of Law in China, 21 J. of Chin. Polit. Sci., Issue no. 3, pp. 395-396 (September 2016).

Kellogg, Thomas E. <u>"The Communist Party of China's Recipe for Success,"</u> review of Bruce Dickson, *The Dictator's Dilemma*, *The Diplomat*, August 12, 2016.

Kellogg, Thomas E. <u>"The South China Sea Ruling: China's International Law Dilemma,"</u> *The Diplomat*, July 14, 2016.

Kellogg, Thomas E. *Arguing Chinese Constitutionalism: the 2013 Constitutionalism Debate and the "Urgency" of Political Reform,* 11 U. Pa. Asian L. Rev. 337 (2015-2016).

Kellogg, Thomas E. <u>"China and the End of Reform,"</u> review of David Shambaugh, *China's Future*, *ChinaFile*, May 26, 2016.

Kellogg, Thomas E. <u>"A New Book Praises China's Governance Model, But Overlooks Its Politics,"</u> review of Daniel Bell, *The China Model: Political Meritocracy and the Limits of Democracy, ChinaFile*, September 21, 2015.

Kellogg, Thomas E. <u>"Running the Race of the Century,"</u> review of Michael Pillsbury, *The Hundred-Year Marathon: China's Secret Strategy to Replace America as the Global Superpower*, *Global Asia*, Vol. 10, No. 1, Spring 2015.

Kellogg, Thomas E. <u>"Bo Xilai – the Last of a Nefarious Trio to Fall,"</u> review of Ho and Huang, *A Death in the Lucky Holiday Hotel, Los Angeles Review of Books*, August 26, 2013.

Kellogg, Thomas E. <u>"Western Funding for Rule of Law Initiatives in China: the importance of a civil society based approach,"</u> China Perspectives, No. 2012/3, pp. 43-49, September 2012.

Professional Fees: \$400 Hourly Rate or \$3,000 Day Rate